

**REMARKS**

Claims 1, 2, and 5-9 are pending in the subject application.

Applicants have amended claims 1, 2, 7, and 9, and have canceled claim 3 (claim 4 was previously canceled). As will be explained in more detail below, these changes do not introduce any new matter.

**Claim Amendments**

Applicants have amended independent claim 1 to specify that the communication unit is configured to communicate with a client via the network based on HTTP. Claim 1 has been further amended to specify, with regard to the identification unit, that the OS information is described in a User-Agent that is an environment variable in a HTTP request sent from the client.

Applicants have amended independent claim 7 to specify that the HTTP communication unit identifies a type of an operating system used in the client by analyzing OS information which is described in a User-Agent that is an environment variable in the HTTP request sent from the client to generate the markup language file corresponding to an identified type of the operating system.

Applicants have amended independent claim 9, which defines a method, to specify that the device communicates with the client via the network based on HTTP. Claim 9 has been further amended to specify, with regard to the inputting operation, that the OS information is described in a User-Agent that is an environment variable in a HTTP request sent from the client.

Support for the amendments to claims 1, 7, and 9 can be found in Applicants' specification at, for example, Paragraph 35 and Figure 3. Accordingly, the amendments to claims 1, 7, and 9 do not introduce any new matter.

Rejections Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 1 and 9 under 35 U.S.C. § 103(a) as being unpatentable over *Nakagiri* (U.S. Patent No. US 6,606,669 B1) in view of *Wittel, Jr. et al.* (“*Wittel, Jr.*”) (U.S. Patent Application Publication No. US 2003/0195951 A1). As will be explained in more detail below, the combination of *Nakagiri* in view of *Wittel, Jr.* would not have rendered the subject matter defined in independent claims 1 and 9, as amended herein, obvious to one having ordinary skill in the art.

As noted above, Applicants have amended claim 1 to specify, with regard to the identification unit, that the OS information is described in a User-Agent that is an environment variable in a HTTP request sent from the client. Claim 9 has been amended to specify, with regard to the inputting operation, that the OS information is described in a User-Agent that is an environment variable in a HTTP request sent from the client. Neither the *Nakagiri* reference nor the *Wittel, Jr.* reference discloses or suggests the feature that has been added to claims 1 and 9. As such, even if the *Nakagiri* and *Wittel, Jr.* references were to be combined in the manner proposed by the Examiner, the presently claimed subject matter would not have resulted because at least the foregoing feature would be missing. Thus, for at least this reason, the combination of *Nakagiri* in view of *Wittel, Jr.* would not have rendered the subject matter defined in amended claims 1 and 9 obvious to one having ordinary skill in the art.

Accordingly, claims 1 and 9, as amended herein, are patentable under 35 U.S.C. § 103(a) over *Nakagiri* in view of *Wittel, Jr.*

Applicants respectfully request reconsideration of the rejection of claims 2, 3, 5, and 6 under 35 U.S.C. § 103(a) as being unpatentable over *Nakagiri* in view of *Wittel, Jr.*, and further in view of *Schacht et al.* (“*Schacht*”) (U.S. Patent No. US 6,959,437 B2) (as noted above, claim 3 has been canceled herein). Each of claims 2, 5, and 6 depends from

independent claim 1. The *Schacht* reference does not cure the above-discussed deficiency of the combination of the *Nakagiri* and *Wittel, Jr.* references relative to the subject matter defined in amended claim 1. Accordingly, claims 2, 5, and 6 are patentable under 35 U.S.C. § 103(a) over the combination of *Nakagiri* in view of *Wittel, Jr.*, and further in view of *Schacht* for at least the reason that each of these claims depends from claim 1.

Applicants respectfully request reconsideration of the rejection of claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Schacht et al.* (“*Schacht*”) (U.S. Patent No. US 6,959,437 B2) in view of *Wittel, Jr.* As noted above, Applicants have amended independent claim 7 to specify that the HTTP communication unit identifies a type of an operating system used in the client by analyzing OS information which is described in a User-Agent that is an environment variable in the HTTP request sent from the client to generate the markup language file corresponding to an identified type of the operating system. Neither the *Schacht* reference nor the *Wittel, Jr.* reference discloses or suggests this feature. As such, even if the *Schacht* and *Wittel, Jr.* references were to be combined in the manner proposed by the Examiner, the presently claimed subject matter would not have resulted because at least the foregoing feature would be missing. Thus, for at least this reason, the combination of *Schacht* in view of *Wittel, Jr.* would not have rendered the subject matter defined in amended claim 7 obvious to one having ordinary skill in the art.

Accordingly, claim 7, as amended herein, is patentable under 35 U.S.C. § 103(a) over *Schacht* in view of *Wittel, Jr.* Claim 8, which depends from claim 7, is likewise patentable under 35 U.S.C. § 103(a) over *Schacht* in view of *Wittel, Jr.* for at least the same reasons set forth regarding claim 7.

**Conclusion**

In view of the foregoing, Applicants respectfully request reexamination and reconsideration of claims 1, 2, and 5-9, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP037).

Respectfully submitted,  
**MARTINE PENILLA & GENCARELLA, LLP**

*/Peter B. Martine/*

Peter B. Martine  
Registration No. 32,043

710 Lakeway Drive, Suite 200  
Sunnyvale, California 94085  
**Customer No. 25920**